

UNITED STATES BANKRUPTCY COURT

DISTRICT OF DELAWARE

824 MARKET ST., 5th FLOOR

WILMINGTON, DE 19801

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U.S. BANKRUPTCY COURT
DISTRICT OF DELAWARE

Plaintiff: CHARLOTTE SCHAUSS

158 Highwood Drive

Libby, MT 59923

Phone: 1-406-293-4708

CASE NO. 01-011139 JFR

FINAL STATEMENT ON CLAIM FORM

BY: EDWARD L. PERLEY, PRO SE.

WRONGFUL DEATH

Note: Please forward to the new Attorney

General, as in closing, I will add

RICO Charges against:

W. R. Grace and Co.,

Dr. Whitehouse,

Jon Heberling

Statement of Fact

I filed for Charlotte Schauss early on. Please reference all filings under the above case Number and Green Card marked as Exhibit A. I have been told that because I do not have a State Bar License that my help would be inadequate. We contacted our Law Firm, as they are representing me in Class Action and have represented Charlotte Schauss in the past. Reference handwritten letter to Mr. Jon Heberling dated 05/18/2007, highlighted in green, Exhibits B, B-1, B-2, and B-3.

I wrote an open letter and had it published in hopes of influencing Mr. Heberling and Dr. Whitehouse into being honest. I also enclosed a letter to the Senate Judiciary Committee. I thought they would be grateful. Ref. -D-D-1.

Apparently my appeal for honesty was rejected. I will go through Mr. Heberling's reply by the numbers. 1. He did not send material to Dr. Whitehouse. He delivered them in person. I can imagine they had an interesting conversation of my Pro Se representation of Charlotte

Schauss and her claim of Wrongful Death. 2. He did not reference another attorney or doctor as requested. He knows that Charlotte Schauss and I live on Social Security and cannot afford other counsel. 3. It is understood that professional medical witnesses can and do testify to almost anything but it is out of the price range of people living on Social Security alone. As an example, Dr. Whitehouse and HNA doctors. Reference all of E. Please reference my letter to Mr. Heberling, B. and my open letter, C. All references are about Dr. Whitehouse.

Note letter from CARD Clinic a complete fraud. Two dates, Nov. 02, 2007 and Sept. 26, 2007. No D. White. I have some understanding of geology. Uranium is mined from ore called pitchblend and is not harmful until milled and concentrated. I do not have the medical knowledge of the fictitious Dr. White, although I do not believe radiation can remain dormant for 40 to 45 years in Willy's case.

I went for my appointment at the CARD Clinic on the 18th. Dr. Black asked me to participate in research on asbestosis. It sounded reasonable at the time he wanted me to get another x-ray that they wanted to compare the old with the new digital system now in place. I begged off for a day. I called a friend that worked at the hospital. Libby is a small town. He told me that they had thousands of old x-rays in the basement. Kalispell has many as does Spokane, WA for comparison. I cancelled and withdrew my consent.

I will now address the evidence of Charlotte Schauss's claim of Wrongful Death.

F. A letter from a Raymond C. Johnson dated September, 2001, in which he states that x-rays showed in 1996 asbestosis confirmed by CARD Clinic in 2000. The mill was shut down in January of 2001. It was left open for 1 year after the EPA was in town; more customers for

asbestos-induced death by natural causes. More clients for Mr. Heberling to file workman's compensation claims on, I believe he took 35 to resolution.

F-1: A video of Willy and Charlotte in asbestos dust at the plywood plant.

F-2: C scans and x-rays of Willy showing asbestos scarring.

F-3: All medical records, need expert for translation.

F-4: Letter and questionnaire from Law Firm. Apparently they are going to reopen Workman's Compensation as it is a faster payout than Class Action.

F-5: In closing on Willy Schauss in 1999 they had not associated asbestosis with cancer, but he had it throughout his body. There are too many for it to be coincidental. First, asbestosis, then cancer that induces death by natural causes. When the immune system is shut down from oxygen it affects liver, kidneys, heart and lungs called 'natural' for payment from Medicare, Insurance and family assets.

G: H.N.A. In August 5, 2003, I wrote a letter reflecting my concerns with statements and questions and did the same in 2004. G-1. It is the same with A B C D. There have never been any direct responses or answers. The reasons being is, if they responded in part they would be obligated to respond in total. They hold me in their contempt as being a frivolous old man that is paranoid. However, Libby is a small town and my concerns are common among all asbestos victims here. I therefore had letters published here locally in the newspaper so I am not a singular target. Their contempt includes all who are similarly affected. They are so obvious that their contempt extends to you and your court.

H: I am sending the first informational letter sent to me by Heberling's Law Firm in April of 2001. It is every law firm's dream to participate in a class action. Never in the history of the ABA members of the justice system have teamed up with AMA and a private company, W.R. Grace and Co. to control a deadly disease and early death of its own citizens with the only motive being greed. The only other historical example was Germany in the early 1940s but starting in the late 1930s. The destruction of all great societies has started from within their final death throes are usually by external wars. First paragraph, Mr. Heberling states that they had anticipated the bankruptcy for months in fact they knew of this back in the mid-1980s when the first civil actions started by deceased employees of W.R. Grace and Co. They knew exactly where they were going.

H (continued):

Conclusion

I believe this Court should withdraw W.R. Grace and Co. from its Chapter 11 standing before this Court and all their assets be made available to its bankruptcy. I understand that a company has an opportunity to reorganize under Chapter 11. However, they had, through deception an extra 10 to 15 years to hid and reorganize over four billion dollars. I know that you should continue all settlements underway as Grace will have an opportunity to appeal your decision if they acted legally. This should not be used to deny claims to victims.

All percentage payments to attorneys involved should be held in trust until a judicial investigation is complete, after all, everyone has a presumption of innocence until proven guilty. However, I do not believe that it is legal to withhold health information from the public and by so doing, sentencing tens of thousands to asbestosis disease and early death, while building their own class action.

Should I still be alive, I would like to take civil action against Dr. Whitehouse. If he had not violated his oath (to do no harm) I would not have asbestosis neither would Charlotte and her family and Willy would still be alive.

H-1: The expert witness against W.R. Grace and company was a Dr. Whitehouse. It is understood that civil courts that reach settlement information is secret by court order. However, if Dr. Whitehouse had explained to the Judge that not to inform the public through the media would put him in violation of his oath (to do no harm), they could have redacted personal information, names and amounts of settlements, etc... and still inform the general public that they were in danger nationally of asbestosis. I was told by a medical person that it would cause a national panic like hollering "fire" in a crowded theater. However, if there is a fire, the public has a right to know. This doctor violated his oath to do no harm and caused thousands to be deceased by asbestosis.

H-1, Paragraph 2: W.R. Grace and Company needed time to reorganize its assets from the mid-1980s through the 1990s. That's a lot of capital to hide from bankruptcy. Also during that time they had millions of asbestos products in the commercial pipeline including exports. The statement Mr. Heberling makes is true. There are thousands of claimants against W.R. Grace and Company. The way they paid off attorneys was three large settlements to asbestosis plaintiffs and there might have been other gratuities between W.R. Grace and Mr. Heberling over that same period of 15 years.

H-2: Within this charge and complaint there are obvious conclusions that this court can't deny. If W. R. Grace would have shut down its asbestos operation in the mid-1980s,

there would not now be criminal indictments against them and the United States would now be cleaned up, but instead they opted for pure greed until April 2,2001.

If their primary medical witness, Dr. Whitehouse and others in the Libby hospital would not have violated their oath (to do no harm), and would have gone public with facts a national deadly disease of asbestosis. I noted Dr. Whitehouse opted for greed and is now a company member of the CARD clinic in Libby, totally financed by W.R. Grace and Company.

The Heberling law Firm (please reference H paragraph 2, He states there are tens of thousands of people across the country. This because they violated constitutional rights of millions of United States citizens by not warning the public and stopping Grace and Co. in the 1980s. All they had to do was take their first civil action to a conclusion and public knowledge and their constitutional oath would have been honored. Instead they opted for greed and participated in building their own class action against W.R. Grace and Company in your bankruptcy court. Please note in letter H they had 200 claims. They now have over 2,000 claims in 2008.

H-3: Criminal conspiracy. W.R. Grace and Company could not keep a lid on their purpose without help even with the billions that passed through their hands for corruption through mid-1980s until now.

Mr. Heberling and his law firm deliberately kept the public in the dark. They knew that they would need a cluster of asbestosis victims in a given area, Libby, Montana, to build a class action claim against W.R. Grace and Company. I believe they did this so this company could hide the majority of its assets from their liability to the public through this bankruptcy court.

This law firm's professional witness, Dr. Whitehouse is now a full time employee of W. R. Grace and Company within their CARD clinic in Libby, Montana. It is ironic that he is now caring for victims of asbestosis that he helped cause by violating his oath (to do no harm), but he has been well paid up to now.

I am sure that all I have stated here can easily be proven by an investigation by the Justice Department. These criminals do not have the integrity of organized crime of 50 years ago. They will quickly roll over on each other. There are innocent people involved as they believed as I did 8 years ago that a prominent law firm would not violate civil rights and constitution rights of fellow citizens purely for profit.

- I. In closing I would ask this Court to send all copy a copy of all to the Attorney General's office. It is obvious that the people I am dealing with have little regard for human life. I, therefore, would ask for protection for myself and Charlotte Schauss. Maybe they could check us into a retirement home until all issues are resolved. As this Court understands, there has been little media exposure on asbestosis. There will be home repairs in the future and replacing dry wall could contaminate a family. Kids playing in an attic with insulation of asbestos. I am sure that the Justice Department can and will let people know of the danger. In the 1960s, in order to save energy large housing projects in the Midwest were insulated with asbestos. They made a cement- like stucco out of it and sprayed it on and in the buildings. It limited energy for air conditioning in summer and retained heat in the winter. It made a fine surface to scratch graffiti on by urban youth. A large percent of this population is Muslim.

In the 1980s W.R .Grace and Company went into export of asbestos instead of the tens of thousands now stated by Mr. Heberling there are probably hundreds of thousands of claimants internationally. I know that there is a government agency that is supposed to oversee the export of hazardous material or products. Either it is nonfunctioning or has been corrupted by W.R. Grace and Company. I would ask this Court to expedite an asbestos settlement to me as I cannot afford, on my Social Security income, to go out of town for medical treatment. It is my understanding there are now 250 asbestos victims in our graveyard. I do not wish to join them before I have to. As a Judge you have this ability under special circumstances. If the Attorney General's office does not protect us and you refuse to help with a settlement so we can protect ourselves the only other protection will be to try to go public through the media. It is hoped that someone will contact us within a couple of weeks to give me direction.

I am a capitalist, however the arrogant example here is criminal, un-American, un-Constitutional and an incurable deadly disease. I, Edward L. Perley, have represented Charlotte Schauss, PRO SE, and I take full responsibility for all statements and charges made.

Respectfully submitted,

Signed: Edward L. Perley on this 1/18/08 day of January, 2008.
Edward L. Perley